

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

DISTRICT OF COLUMBIA

v.

DC CHARTERED HEALTH PLAN, INC.

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Case No. 2012 CA 008227 2

**ORDER APPROVING REHABILITATOR'S  
MOTION TO DISPOSE OF RECORDS**

The Court grants the April 29, 2021 motion of the Rehabilitator of D.C. Chartered Health Plan, Inc. ("Chartered") to dispose of records.

Rule 12-I(e) allows the Court to treat unopposed motions as conceded, and in the circumstances of this case, the Court exercises its discretion to do so. Conceded substantive motions may generally be granted "where the movant has established a prima facie entitlement to relief." *District of Columbia v. Davis*, 811 A.2d 800, 804 (D.C. 2002). Based on its examination of the record, the Court finds that the Rehabilitator has established a prima facie entitlement to the relief it seeks, which is authorization to dispose of paper and electronic records Chartered no longer needs in the administration of its estate.

Accordingly, the Court orders that:

1. The motion to dispose of the records is granted.
2. The Rehabilitator may dispose of Chartered's records in the manner proposed in the motion and expend funds for this purpose consistent with the costs set out in the motion, including \$179,761.93 to Iron Mountain for destruction of \$9,700 boxes of records, and \$99,200 to Unity Healthcare for assuming responsibility for the storage and ultimate destruction of Chartered Family Health Center records at Iron Mountain, attendant costs for disposing of electronic records at Ankura and Amerihealth, and shipping costs to transfer Chartered's financial and tax records to D.C. Healthcare Systems, Inc.

3. The Rehabilitator is expressly authorized and permitted to destroy and dispose of electronic records maintained at Ankura in response to a federal grand jury subpoena relating to a criminal investigation that has been completed.

SO ORDERED.



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Anthony C. Epstein  
Judge

Date: May 28, 2021

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